

FINAL BRIEF

**ORAL ARGUMENT SCHEDULED
FOR APRIL 5, 2019**

CASE NO. 18-1170 [CONSOLIDATED WITH 18-1178, 18-1197, 18-1199]

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SHAMROCK FOODS COMPANY,

Petitioner/Cross-Respondent,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent/Cross-Petitioner,

and

**BAKERY, CONFECTIONERY, TOBACCO WORKERS' AND GRAIN
MILLERS INTERNATIONAL UNION, LOCAL UNION NO. 232,
AFL-CIO, CLC**

Intervenor for Respondent.

**JOINDER OF INTERVENOR FOR RESPONDENT, BAKERY,
CONFECTIONERY, TOBACCO WORKERS' AND GRAIN MILLERS
INTERNATIONAL UNION, LOCAL UNION NO. 232, AFL-CIO, CLC IN
THE BRIEF OF RESPONDENT, NATIONAL LABOR RELATIONS
BOARD**

**David A. Rosenfeld, Bar No. 058163
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501
Telephone (510) 337-1001
Fax (510) 337-1023**

*Attorneys for Intervenor for Respondent, BAKERY, CONFECTIONERY,
TOBACCO WORKERS' AND GRAIN MILLERS INTERNATIONAL
UNION, LOCAL UNION NO. 232, AFL-CIO, CLC*

CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES

Pursuant to Circuit Rule 28(a)(1), counsel for Intervenor, Bakery, Confectionery, Tobacco Workers' and Grain Millers International Union, Local Union No. 232, AFL CIO-CLC ("Intervenor"), certifies the following:

A. PARTIES AND AMICI

Shamrock Foods Company was a Respondent before the Board in the above-captioned case and is Petitioner/Cross-Respondent in this court proceeding. The Board's General Counsel was a party before the Board and is Respondent/Cross-Petitioner in this court proceeding. Intervenor was the Charging Party before the Board and is the Intervenor in Support of the Board in this proceeding.

B. RULINGS UNDER REVIEW

The cases under review are Decisions and Orders of the Board reported at 366 N.L.R.B. No. 107 and 117 (2018).

C. RELATED CASES

This case has not previously been before the Court. The Intervenor is not aware of any related cases, either pending or about to be presented before this or any other court. The Board's Decision and Order in Case 366 N.L.R.B. No. 117 severed certain allegations which are still pending before the Board.

Dated: February 21, 2019

Respectfully Submitted,

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ David A. Rosenfeld
David A. Rosenfeld
Attorneys for Intervenor, BAKERY,
CONFECTIONERY, TOBACCO
WORKERS' AND GRAIN MILLERS
INTERNATIONAL UNION, LOCAL
UNION NO. 232, AFL-CIO, CLC

CORPORATE DISCLOSURE STATEMENT

Pursuant to Circuit Rule 26.1, Intervenor, Bakery, Confectionery, Tobacco Workers' and Grain Millers International Union, Local Union No. 232, AFL-CIO, CLC, hereby discloses that it is an unincorporated, voluntary, labor organization established under the National Labor Relations Act, whose purpose is to represent employees in collective bargaining with employers.

Dated: February 21, 2019

Respectfully Submitted,

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ David A. Rosenfeld
David A. Rosenfeld

*Attorneys for Intervenor, BAKERY,
CONFECTIONERY, TOBACCO
WORKERS' AND GRAIN MILLERS
INTERNATIONAL UNION, LOCAL
UNION NO. 232, AFL-CIO, CLC*

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**JOINDER OF INTERVENOR FOR RESPONDENT, BAKERY,
CONFECTIONERY, TOBACCO WORKERS' AND GRAIN MILLERS
INTERNATIONAL UNION, LOCAL UNION NO. 232, AFL-CIO, CLC IN
THE BRIEF OF RESPONDENT, NATIONAL LABOR RELATIONS
BOARD**

Intervenor for Respondent joins in the Brief of the National Labor Relations Board and fully supports its arguments in support of the Decisions and Orders of the National Labor Relations Board.

Dated: February 21, 2019

Respectfully Submitted,

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ David A. Rosenfeld
David A. Rosenfeld

*Attorneys for Intervenor, BAKERY,
CONFECTIONERY, TOBACCO
WORKERS' AND GRAIN MILLERS
INTERNATIONAL UNION, LOCAL
UNION NO. 232, AFL-CIO, CLC*

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rules of Appellate Procedure 32 and Circuit Rule 32(e)(2), Intervenor certifies that Joinder of Intervenor for Respondent, Bakery, Confectionery, Tobacco Workers' and Grain Millers International Union, Local Union No. 232, AFL-CIO, CLC contains 60 words of proportionately spaced, 14 point type, and that the word processing system used was Microsoft Word 2010.

Dated: February 21, 2019

Respectfully Submitted,

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ David A. Rosenfeld
David A. Rosenfeld

*Attorneys for Intervenor, BAKERY,
CONFECTIONERY, TOBACCO
WORKERS' AND GRAIN MILLERS
INTERNATIONAL UNION, LOCAL
UNION NO. 232, AFL-CIO, CLC*

CERTIFICATE OF SERVICE

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501.

I hereby certify that on February 21, 2019, I electronically filed the foregoing **(FINAL) JOINDER OF INTERVENOR FOR RESPONDENT, BAKERY CONFECTIONARY, TOBACCO WORKERS' AND GRAIN MILLERS INTERNATIONAL UNION, LOCAL UNION NO. 232, AFL-CIO, CLC IN THE BRIEF OF RESPONDENT, NATIONAL LABOR RELATIONS BOARD** with the United States Court of Appeals, District of Columbia Circuit, by using the Court's CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the Notice of Electronic Filing by the Court's CM/ECF system.

I certify under penalty of perjury that the above is true and correct.
Executed at Alameda, California, on February 21, 2019.

/s/ Karen Kempler
Karen Kempler